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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/697,828
	Filing Date	October 29, 2003
	First Named Inventor	ROSEN, STEVEN D.
	Group Art Unit	1652
	Examiner Name	MONSHIPOURI, MARYAM
Total Number of Pages in This Submission	Attorney Docket Number	UCAL-138DIV

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) Remarks	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Petition to Commissioner (1 pg.) 2) Copy of Response as filed on 06/01/05 (6 pgs.) 3) Copy of Stamped Return Postcard (1 pg.) 4) Copy of Stamped Express Mail Receipt (1 pg.) 5) Copy of Tracking Number Information (1 pg.) 6) Return Postcard
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Signing Attorney/Agent (Reg. No.)	PAULA A. BORDEN, 42,344 BOZICEVIC, FIELD & FRANCIS, LLP
Signature	
Date	July 6, 2005

EXPRESS MAIL LABEL NO. EV577673090US

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Atty Dkt. No.: UCAL-138 DIV
USSN: 10/697,828

EXPRESS MAIL NO. **EV577673090US**

PETITION TO THE COMMISSIONER UNDER 37 C.F.R. § 1.181 Address to: Mail Stop: Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket	UCAL-138 DIV
	First Named Inventor	S.D. Rosen
	Application Number	10/697,828
	Filing Date	October 29, 2003
	Group Art Unit	1652
	Examiner Name	M. Monshipouri
	Title:	<i>"Novel glycosyl sulfotransferases GST-4 alpha, GST-4 beta, & GST-6"</i>

Sir:

This petition is submitted to the Commissioner of Patents and Trademarks under 37 C.F.R. § 1.181(a). This Petition is being filed in response to the Notice of Abandonment dated June 7, 2005.

Applicant hereby petitions for withdrawal of the holding of abandonment in the present application.

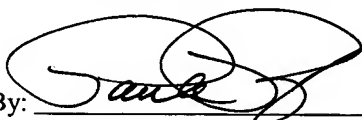
The Patent Office incorrectly indicated that the application was abandoned for failure to respond to the Office Action mailed December 1, 2004. This is in error.

An Office Action issued on December 1, 2004 in this application. The December 1, 2004 Office Action set a one-month period of time for response, making a response due on or before January 1, 2005. A response was filed on June 1, 2005, along with a petition and fee for a five-month extension of time. Accordingly, the response was timely filed. As provided for under 37 C.F.R. § 1.10(e), the following are provided herewith: 1) a copy of the response as filed, showing Express Mail No. EV577671933 US; 2) a copy of the Express Mail Certification, certifying that the response was deposited with the United States Postal Service (USPS) on June 1, 2005; 3) a copy of the tracking information, which provides evidence that the items, including the response filed in connection with this patent application, which were delivered under Express Mail No. EV577671933 US, were accepted by the USPS on June 1, 2005, and were delivered to the U.S. Patent and Trademark Office on June 3, 2005; 4) a copy of the stamped Express Mail receipt; and 5) a copy of the stamped Return Postcard from the U.S. Patent and Trademark Office.

While no fee is believed due, the Commissioner is hereby authorized to charge any fees which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number UCAL-138 DIV.

Respectfully submitted,

Date: July 6, 2005

By: 
Paula A. Borden
Registration No. 42,344

BOZICEVIC, FIELD & FRANCIS LLP
1900 University Avenue, Suite 200
East Palo Alto, California 94303
Telephone: (650) 327-3400 Facsimile: (650) 327-3231



DATE: June 1, 2005

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Signature

Stuart McLeish

Date

6/1/05

Atty. Docket No.	Serial Number	Description	Atty.	Fee
UCAL-138DIV	10/697,828	Transmittal, Petition for a 5 Month Extension of Time, Form 2038, Restriction Election	PAB	\$2,160

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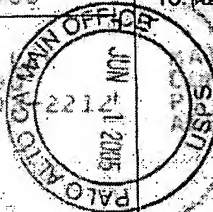
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Atty Docket No. UCAL-138DIV Date Mailed: June 1, 2005

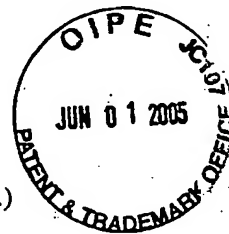
Application No.: 10/697,828 Filing Date: October 29, 2003

Inventor(s): ROSEN, STEVEN D.

Title: "NOVEL GLYCOSYL SULFOTRANSFERASES GST-4
ALPHA, GST-4BETA, & GST-6"

Enclosure(s):

- ❖ Transmittal (1 pg.)
- ❖ Petition for Extension of Time (1 pg.)
- ❖ PTO Form-2038 (1 pg.)
- ❖ Response to Restriction Requirement (3 pgs.)
- ❖ Return Postcard



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Atty Docket No. UCAL-138DIV Date Mailed: June 1, 2005
Application No.: 10/697,828 Filing Date: October 29, 2003

Inventor(s): ROSEN, STEVEN D.

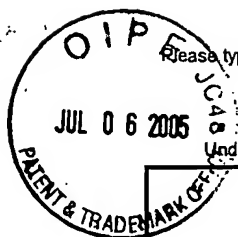
Title: "NOVEL GLYCOSYL SULFOTRANSFERASES GST-4
ALPHA, GST-4BETA, & GST-6"

Enclosure(s):

- ❖ Transmittal (1 pg.)
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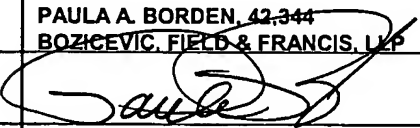

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/697,828
	Filing Date	October 29, 2003
	First Named Inventor	ROSEN, STEVEN D.
	Group Art Unit	1652
	Examiner Name	MONSHIPOURI, MARYAM
Total Number of Pages in This Submission	Attorney Docket Number	UCAL-138DIV

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Form PTO-2038 (1 pg.) 2) Response to Restriction Requirement (3 pgs.) 3) Return Postcard
Remarks		

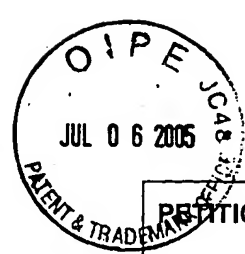
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Signing Attorney/Agent (Reg. No.)	PAULA A. BORDEN, 42,344 BOZICEVIC, FIELD & FRANCIS, LLP
Signature	 
Date	June 1, 2005

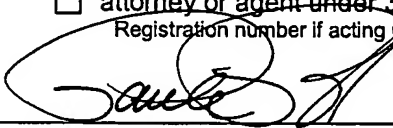
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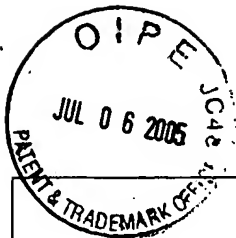
This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005 <i>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</i>		Docket Number (Optional) UCAL-138DIV	
Application Number: 10/697,828		Filed: October 29, 2003	
For: "NOVEL GLYCOSYL SULFOTRANSFERASES GST-4 ALPHA, GST-4BETA, & GST-6"			
Art Unit: 1652		Examiner: MONSHIPOURI, MARYAM	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
	<u>Fee</u>	<u>Small Entity Fee</u>	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$_____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$_____
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$_____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$_____
<input checked="" type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	<u>\$2160.00</u>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.			
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account Number <u>50-0815</u> .			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the <input type="checkbox"/> applicant/inventor			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).			
<input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>42,344</u>			
<input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____			
 Signature		<u>June 1, 2005</u> Date	
<u>Paula A. Borden</u> Typed or Printed Name		<u>(650) 327-3400</u> Telephone Number	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input checked="" type="checkbox"/> Total of _____ forms are submitted.			



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RESPONSE TO RESTRICTION REQUIREMENT Address to: Mail Stop Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Docket No.	UCAL-138 DIV
	Confirmation No.	9294
	Application No.	10/697,828
	Filing Date	October 29, 2003
	Examiner	M. Monshipouri
	Group Art Unit	1652
	Title	<i>Novel glycosyl sulfotransferases GST-4 alpha, GST-4 beta, & GST-6</i>

Sir:

This communication is submitted in response to the Office Action mailed December 1, 2004. The Restriction Requirement set forth a one-month time period for response, making a response due on or before **January 1, 2005**. *A Petition for a five-Month Extension of Time is submitted herewith, making this amendment due on or before June 1, 2005.* Accordingly, this response is timely filed.

I. REMARKS

The Office Action set forth a Restriction Requirement, and an Election of Species Requirement.

Restriction Requirement

In the Restriction Requirement, the Examiner required election of one of the following groups of claims:

- Group I: Claims 1-4; glycosyl sulfotransferase polypeptides and fragments;
- Group II: Claims 5-12; nucleic acids encoding the glycosyl sulfotransferases, expression cassettes, cells, and methods of expressing the nucleic acids;
- Group III: Claims 13-15; antibodies that specifically bind the glycosyl sulfotransferases;
- Group IV: Claims 16-22; method of inhibiting a binding event between a selectin and a selectin ligand;
- Group V: Claims 23 and 24; method of modulating a symptom in a mammal having a condition related to a selectin mediated binding event;

- Group VI: Claims 25-27; method of diagnosing a disease comprising determining the amount of glycosyl sulfotransferase polypeptide or nucleic acid; and
- Group VII: Claim 29; non-human transgenic animal comprising a gent encoding the glycosyl sulfotransferases.

Applicants hereby elect to prosecute the claims of Group I, claims 1-4, with traverse. As stated in the MPEP §803, if search and examination of an entire application can be made without serious burden, the examiner must examine the entire application on the merits, even though the entire application includes claims to independent or distinct inventions. It is the Applicants' position that it would not be unduly burdensome to perform a search on all of the claims together in the present application. Accordingly, Applicants traverse the restriction requirement.

Applicants expressly reserve the right under 35 USC §121 to file a divisional application directed to the non-elected subject matter or any subject matter disclosed in this application during the pendency of this application.

Species Election

The Office Action stated that claims 1-29 are generic to a plurality of disclosed patentably distinct species comprising GST-4 α , GST-4 β , and GST-6.

Applicants elect GST-4 α . Of the elected claim group, claims 1-4 are readable on this species.

II. CONCLUSION

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number UCAL-138 DIV.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: June 1, 2005

By: _____

Paula A. Borden
Registration No. 42,344

BOZICEVIC, FIELD & FRANCIS LLP
1900 University Avenue, Suite 200
East Palo Alto, California 94303
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